

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

In Re:	MIGUEL SUFRAN,	)	
	Debtor.	)	BK No. 1:11-bk-11667
		)	Chapter 7
		)	
BENEFICIAL RHODE ISLAND, INC.		)	AP No. 1:12-ap-01002
	Plaintiff,	)	
v.		)	
	MIGUEL SUFRAN,	)	
	Defendant.	)	

**STIPULATION TO WITHDRAW MOTION TO DELAY  
DISCHARGE, DISMISS ADVERSARY PROCEEDING WITHOUT  
PREJUDICE, AND ENTER LOAN MODIFICATION AGREEMENT**

Plaintiff, Beneficial Rhode Island, Inc. (“Beneficial”) and Defendant, Miguel Sufran (“Debtor”), hereby stipulate and agree that:

1. Beneficial shall withdraw its motion to delay discharge of the Debtor;
2. Beneficial shall voluntarily dismiss its Adversary Proceeding, without prejudice to Beneficial’s Superior Court action;
3. Beneficial may resume efforts to pursue its claims – as similarly asserted in the Adversary Proceeding – against Debtor in state court;
4. Debtor shall not oppose and shall enter an Agreement for Judgment in Beneficial’s state court action that seeks a declaration that the mortgage recorded with the Land Evidence Records for the City of Providence in Book 7134 at Page 128, is active, valid, and enforceable against the property at 103 Parade Street, Providence, Rhode Island (“Property”).
5. Beneficial shall provide Debtor with full a loan modification offer by January 18, 2013 that shall 1) reduce the principal owed under the Debtor’s note and

- mortgage to \$200,000.00, plus any property tax payments advanced by Beneficial or its agents relative to the Property, and 2) reduce and fix the interest rate to 5.25%, for a term of no less than 20 years.
6. Debtor's first payment shall be due on February 7, 2013, with additional payments due monthly thereafter, and – once Beneficial receives the first payment – the note and mortgage shall be deemed contractually current.

**WHEREFORE**, Plaintiff, Beneficial Rhode Island, Inc. and Defendant, Miguel Sufran, respectfully request that this Honorable Court allow the parties to dismiss this adversary proceeding, without prejudice, according to this stipulation.

Respectfully submitted,  
**Plaintiff,**  
**BENEFICIAL RHODE ISLAND,**  
**INC.,**  
By its Attorney,

/s/ Thomas R. Lavallee  
Thomas R. Lavallee, Esq., #8579  
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January 11, 2013

IN RE: MIGUEL SUFRAN  
BK 11-11667

**Defendant,**  
**MIGUEL SUFRAN,**  
By his Attorney,  
*/s/ John B. Ennis*  
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Cranston, RI 02920  
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January 11, 2013

**CERTIFICATION**

I, Thomas R. Lavallee, hereby certify that on this 11<sup>th</sup> day of January, 2013, a true copy of this document was served upon the attorney of record for each party via this Court's CM/ECF System.

*/s/ Thomas R. Lavallee*

APPROVED: *Diane Finkle* -

Diane Finkle  
U.S. Bankruptcy Court Judge  
Date: 2/5/2013  
Entered on Docket 2/5/2013